

Appendix A:

Cork Local Government Implementation Oversight Group Terms of Reference

1. The Minister for Housing, Planning, Community, and Local Government hereby establishes the Cork Local Government Implementation Oversight Group, hereinafter referred to as “the Oversight Group”.

2. (a) The following persons are hereby appointed as members of the Oversight Group: -

Mr. □ John O'Connor (Chair);

Mr. Ned □ Gleeson

Ms. Brigid McManus □

(b) The current Chief Executive, Cork County Council (Mr Tim Lucey), and the current Chief Executive, Cork City Council (Ms Ann Doherty), will participate in the work of the Oversight Group in an advisory, support and reporting capacity, as the Chair considers appropriate, having regard particularly to their primary responsibility for implementation of relevant changes in local government arrangements in Cork.

(c) The following persons will participate in the work of the Oversight Group in an advisory and external evaluation capacity, as the Chair considers appropriate:

Mr Conn □ Murray;

Mr Michael Walsh. □

3. The general responsibility of the Oversight Group is to oversee arrangements, in accordance with a detailed Implementation Plan to be completed by the Group by September 2017, for the alteration of the boundary between the respective areas of jurisdiction of Cork City Council and Cork County Council, in light of the recommendation in the report of the Cork Expert Advisory Group (April 2017), and to ensure, as far as possible, that such arrangements are progressed effectively throughout the implementation process.

4. The Implementation Plan to be completed in accordance with paragraph 3 should address, as far as possible, all matters necessary to achieve successful implementation of the proposed boundary alteration, including matters referred to at paragraph 5, and should incorporate the timescale for relevant elements of implementation

5. For the purpose of, and without restricting the scope of, its general role as set out at paragraph 3, the Oversight Group should, in particular, oversee

a. the development of detailed and comprehensive proposals for the boundary alteration and

b. their implementation by Cork City Council and Cork County Council including the following matters in particular:

(a) a precise and comprehensive description of the proposed boundary and of the area to be transferred from the jurisdiction of Cork County Council to that of Cork City Council;

(b) details of the estimated income, expenditure or other resource implications for the two local authorities of the proposed boundary alteration;

(c) details of the financial impacts on each authority as a result of the boundary extension together with mitigation measures

(d) details of implications of the proposed boundary alteration for the structures, services, operations, property and other assets, liabilities, obligations, or other matters relating to the two local authorities;

(e) details of the adjustments or arrangements which need to be made between Cork County Council and Cork City Council in respect of financial or other resources (including staffing), and administrative, organisational, legal, functional, or other matters in consequence of the alteration of the boundary in line with the principles set out in the report of the Cork Expert Advisory Group; details of the staffing adjustments and transfers between the local authorities which are necessary arising from the alteration of the boundary

(f) details of any other administrative, organisational, legal, functional, or other matters which need to be addressed, including timelines for transition, having regard to the annual budgetary and financial reporting cycles;

(g) details of the procedures and timescale for all of the foregoing matters, and of any transitional measures (including issues such as the phasing of alterations in rates or other charges, the provision of services via section 85 agreements or other methods) which may be considered necessary arising from the proposed boundary alteration;

(h) details of any other actions which may be considered necessary or of any matters in relation to which it is considered that provision should be made in a primary order or a supplementary order (providing for matters arising from, in consequence of, or otherwise related to, the proposed boundary alteration) within the meaning of section 34 of the Local Government Act 1991 (a copy of which is appended);

(i) any other matters specified in the Implementation Plan referred to at paragraph 3, or which Oversight Group may otherwise specify, or which the local authorities may consider appropriate (subject to agreement with the Oversight Group) for the purpose of implementation of the proposed boundary alteration.

6. The Oversight Group shall provide such direction, guidance and advice to the local authorities in relation to the implementation of the proposed boundary alteration and related arrangements as it considers appropriate.

7. The chief executives and staff of Cork City Council and Cork County Council are required to co-operate fully with the Oversight Group, including through the timely provision of any available information, and attendance at meetings, as required by the Oversight Group.

8. The Oversight Group shall carry out any additional functions in relation to the implementation of changes in local government arrangements in Cork which the Minister may request during the course of its work, including possible further analysis or recommendations in relation to:

(a) metropolitan planning or governance in light of the recommendations in that regard in the report of the Cork Expert Advisory Group, and having regard to relevant proposals in the context of the National Planning Framework and in the report on local government matters to be submitted to Government and the Oireachtas pursuant to the Programme for a Partnership Government;

(b) the configuration or role of municipal districts in Cork

(c) the introduction of an area-based approach for a newly configured Cork City Council.

9. The Chair of the Oversight Group shall submit reports to the Minister on a quarterly basis (or more frequently as the Chair may consider necessary) on progress with the Implementation Plan referred to at paragraph 3 or any related matters which the Group may consider appropriate.